IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

OP.No. 9430 of 2000(V)

PETITIONER:

V.SIVANKUTTY, SREE NEELAKANDA NILAYAM,
NADUVILA CHERRY, KANJAVELLY P.O.,
KOLLAM - 691 602.

BY ADV. SRI.B.SURESH KUMAR
SMT.C.G.PREETHA

RESPONDENTS:

1) **THE DISTRICT COLLECTOR, KOLLAM.**

2) **THE DIRECTOR, VIGILANCE & ANTI-CORRUPTION BUREAU, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.**

3) **THRIKKARUVA GRAMA PANCHAYAT, KOLLAM, REP: BY ITS SECRETARY.**

4) **THE PRESIDENT, THRIKKARUVA GRAMA PANCHAYAT, KOLLAM.**

5) **RAJENDRAN, CONVENOR, BENEFICIARY COMMITTEE, THRIKKARUVA GRAMA PANCHAYAT, KOLLAM.**

6) **RADHAKRISHNAN, CHAIRMAN, BENEFICIARY COMMITTEE, THRIKKARUVA GRAMA PANCHAYAT, KOLLAM.**

7) **THE DIRECTOR OF PANCHAYATS, OFFICE OF THE DIRECTOR OF PANCHAYATS, THIRUVANANTHAPURAM.**

BY ADV. SRI.P.B.SURESH KUMAR(QUILON)
GOVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP.NO.15632 OF 2000 IN OP.NO.9430 OF 2000.

DISMISSED.

7.9.2007. **Sd/- T.R.Ramachandran Nair, Judge.**

PETITIONER'S EXHIBITS:-

Ext.P1: **Copy of the representation dtd.17.2.2000 sent by 5 members of the beneficiary committee to the 3rd respondent.**

Ext.P2: **Copy of the notice published in the Mathrubhoomi daily dated 5.2.2000.**

Ext.P3: **Copy of the representation dtd.14.2.2000 submitted by the petitioner before the 3rd respondent.**

Ext.P4: **Copy of the communication dtd.24.2.2000 sent to the petitioner by the 3rd respondent.**

Ext.P5: **Copy of the representation dtd.9.3.2000 sent by the petitioner to the District Collector, Kollam.**

Ext.P6: **Copy of the representation dtd.10.3.2000 submitted by the petitioner to the Director, Vigilance and Anti-corruption Bureau, Thiruvananthapuram.**

RESPONDENTS' EXHIBITS:- **NIL.**

(TRUE COPY)

P.A. TO JUDGE.

Kvs/-

T.R.RAMACHANDRAN NAIR, J.

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O.P.No. 9430 of 2000-V.

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Dated this the 7th day of September, 2007.

J U D G M E N T

The petitioner approached this Court seeking for a direction to the 2nd respondent to consider Ext.P6 representation and take appropriate action for the misuse of fund allowed in respect of Project No.63 for the year 1998-99 by Thrikkaruva Grama Panchayat of Kollam district.

2. The allegations raised by the petitioner concerns the unsatisfactory way in which the tarring work of a road namely, Kochukadamukku - Asantayyathu mukku Panchayat Road was done. It is pointed out that the local residents had surrendered land for widening the said road and estimate amount for the work was fixed at Rs.1,10,000/-. There was a beneficiary committee to supervise the work in question.

3. If the petitioner has any complaints regarding the misutilising of the fund, he should have moved the appropriate authority under the Act for redressing the grievances. There are provisions under the Panchayat Raj Act conferring powers on the Ombudsman also. Without prejudice to the right of the petitioner to approach the proper authority, this writ petition is closed. No costs.

T.R.RAMACHANDRAN NAIR, JUDGE.

Kvs/-